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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	YUEHENG XU	§	Group Art Unit:	2176
Serial No.:	09/748,895	§		
Filed:	December 27, 2000	§	Examiner:	Chau T. Nguyen
For:	LARGE CHARACTER SET BROWSER	§	Atty. Dkt. No.:	ITL.0403US (P8986)

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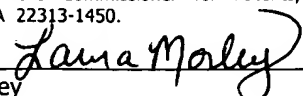
REPLY BRIEF

Sir:

Appellant respectfully files this Reply Brief in response to the Examiner's Answer mailed on September 5, 2006.

I. REPLY

The rejection of all pending claims is based on the improper combination of three disparate references. As such, there is no *prima facie* case of obviousness and the rejection of all pending claims should be reversed. This is so, as the Examiner has engaged in the hindsight-based obviousness analysis that has been widely and soundly disfavored by the Federal Circuit. In order to prevent a hindsight-based obviousness analysis, the Federal Circuit requires that "to establish obviousness based on a combination of the elements disclosed in the prior art, there

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 Laura Morley

must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant.” *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1316-17 (Fed Cir. 2000).

No such showing is present here. Instead, the Examiner, without any credible support, picks and chooses wholly unrelated snippets of the disparate references to contend a motivation to combine. This attempt is improper and should be rejected. The primary reference, Powell, simply teaches that a statistical analysis may be made of a document to determine a likely language of the document. In contrast, the Taieb reference is directed to embedding font tag information in a document so that an appropriate font may be used for output of the document. Finally, the third reference, Rojas, is directed to a mock translation system that is used to translate data present in a software application. In the Examiner’s Answer, there is no teaching or suggestion from the references that would in any way indicate to one of ordinary skill in the art that the subject matter of these unrelated references should be combined in the manner set forth by the recited claims.

The obviousness rejection fails for the further reason that modification of the primary reference, Powell, with Rojas in the manner suggested by the Examiner would defeat the principle of operation of the system of Powell and/or render its performance unsatisfactory. M.P.E.P. § 2143.01. That is, in Powell, an input document is analyzed using a statistical analysis to generate either a two-dimensional or three-dimensional model to determine whether an input document has a given primary language or primary language and character set in a given sample representation. The Examiner has presented nothing to indicate why one of ordinary skill in the art would be motivated to modify these one-dimensional and three-dimensional statistical mappings with the double-wide character sets of Rojas. Simply put, there is a predetermined

statistical analysis performed in Powell, and there is no suggestion or motivation to take the double-wide character set used for translating software programs in Rojas for use in this statistical analysis. As such, the § 103 rejection fails and all pending claims are patentable.

As to dependent claims 2, 12 and 22, the Examiner purports to rely on yet a fourth reference, Lincke, for teaching of receipt of a web page in a plane, row and column format. As support for such a format in which data is received in a specifically recited format, i.e. "plane, row and column", the Examiner refers to column 3, line 6 – 33 and column 21, line 65 – column 22, line 8 of Lincke. For ease of illustration, both of the recited portions are reproduced below:

An important source of Internet based data is the data accessible through the World Wide Web (referred to as the Web). The following describes the usual techniques for Web browsing. A user selects a web site associated with a URL (Uniform Resource Locator). The URL represents the address of the entry point to the web site (e.g., the home page for the web site). For example, the user may select a web site that supplies restaurant reviews. The user's computer (the client) makes an HTTP (HyperText Transport Protocol) request to the web server hosting the web site. The client typically needs to make multiple HTTP requests of the web server. For example, to load the restaurant locator home page, multiple HTTP requests are needed to download all the graphics, frame content, etc. Next, the user will typically need to browse through a number of linked pages to get to the page from which a search for restaurants can be made. Even if the user is immediately presented with the desired page, a great deal of information has had to be downloaded from the web site (e.g., graphics, advertisements, etc.). This additional information makes for a visually rich browsing experience. The user fills in the information on this page and selects a search button. The client makes another series of HTTP requests of the web server. The web server supplies the client with the requested information in an HTML formatted web page. The web page typically includes links to more graphics and advertisements that need to be accessed by the client.

Lincke, col. 3, lns. 6 - 33

Compact Markup Language (CML)

In order to send web content to the wireless client 405 in a minimal number of bytes, the proxy server 180 does not use the HTML standard generally used by Internet servers. In HTML, all the tags and attributes associated with text, tables, forms, etc are text based, typically take up from 3 to 10 bytes each, and are stored both at the beginning and end of the text that they modify. For example, to display

emphasized text, a web document would have to contain the following HTML sequence: This is emphasized text.

Lincke, col. 22, ln. 6 – col. 22, ln 8.


As clearly shown in these passages, Lincke nowhere teaches or suggests presence of a web page in a plane, row and column format. For this further reason, the rejection of these dependent claims is clearly erroneous and should be reversed.

II. CONCLUSION

For the reasons set forth herein, as well as set forth in the Appeal Brief, Appellant respectfully requests that the final rejection be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

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